

**Water Classification Workgroup – Meeting Notes**

For July 17, 2012, 1pm – 4pm

John Hoke: Provided introduction and reported results of the TALU Technical Subcommittee meeting. PowerPoint presentation of proposed aquatic life use categories and draft rule language (Presentation to be made available online). Next steps are for the technical subcommittee to work on a UAA/classification protocol or process. MoRAP documents discussed in the meeting are available online at [http://www.cerc.usgs.gov/morap/Assets/UploadedFiles/Projects/aquatic\\_gap/Aquatic\\_GAP\\_Final\\_Report.pdf](http://www.cerc.usgs.gov/morap/Assets/UploadedFiles/Projects/aquatic_gap/Aquatic_GAP_Final_Report.pdf)

Questions/Answers and Discussions during meeting:

Q: How will cool water stream designations be determined?

A: Temperature and species data and predictive modeling using VST

Q: How will stream sediment loading be handled? High natural sediment load vs. clear water?

A: Could be handled in a future rule, or definitions created now, but not applied until future rule

Q: How do wetlands fit in with the proposed aquatic life use categories?

A: Need to create a wetland classification framework to develop appropriate use categories for wetlands.

Q: What is the reason for distinguishing between cold water streams with natural reproducing trout and those with stocked trout?

A: Different EPA recommended dissolved oxygen (DO) criteria

Q (to EPA): Can streams be reclassified into other warm water use categories without a UAA?

A (from EPA): If highest attainable use is protected and decision is based on data and is scientifically defensible.

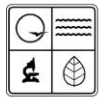
Q: Are losing streams being retained in the current rule?

A: Yes. There is interest to examine and potentially revise losing stream criteria in a future rule.

John Hoke: Clarified that mileages given in PowerPoint presentation are based on the 1:100,000 scale line work, so actual mileage will be greater when revised using the same spatial extent from the 1:24,000 scale line work.

Q: What classification would unknowns be placed in? (Unknowns = streams with unknown flow or size data found mainly in large/great river side channels and streams in the boot heel).

A: Would be decided by the Department after examining upstream and downstream uses



PAGE 2

Q: How many more facilities are brought in using the new mileage from the “Enhanced 1:100k”?

A (John Hoke): Not yet calculated

A (Lorin Crandall): Indicated that most facilities missed in previous rulemaking appeared to be included using MoRAP 1:100k data

Q: Are wetland categories needed to update national wetland inventory for Missouri?

A: Missouri needs a wetland program plan in order to get EPA funding.

Q (from EPA): Variance language not implementable as currently written. Will this be revisited in this rulemaking?

A (John Hoke): Not currently. EPA disapprovals are this interim rulemaking’s priority.

Q: How clear is the line between cold water (natural reproducing) and cold water (stocked)?

A: MDC has stocking records and trout plans that can be shared with MoDNR to find a line

MDC: Stated they may attempt to do some predictive DO modeling for possible use in developing the regulatory impact report (RIR).

Q: Is it possible to not apply any DO criteria to headwaters?

A (from EPA): Deferring criteria would probably result in disapproval

Q: Waters of the U.S. to be administered through the 1:100k, how will waters outside of the 1:100k be handled?

A: A jurisdictional determination through 404 permitting, a classification protocol or a UAA would be needed. This is a question for the technical subcommittee.

Q: Does proposed rule language expand protected waters beyond discussions from previous meetings? Would more UAAs be needed?

A: Protection of waters of the U.S. would be administered through the 1:100k framework and appropriate categorizations of aquatic life uses could reduce the number of UAAs needed. Waters outside of the 1:100k would be examined on a case-by-case basis.

Q: Can site-specific criteria be made?

A: Yes.

Q: How will the enhanced 1:100k be updated?

A: A framework needs to be developed. Updates likely will be part of future triennial reviews

John Hoke: Will attempt to draft definitions for aquatic life uses. Will begin work on RIR.